

# **TOWN COUNCIL MEETING**

**June 21, 2005**

## **BOARD OF LICENSE COMMISSIONERS**

**1. Call to Order 7:00 p.m. All Council members present**

**2. Pledge of Allegiance**

**3. Minutes**

**April 19**

**Motion to defer passed 5-0, (RM – KM)**

**May 16**

**Motion to accept passed 5-0, (RM – JO)**

**4. Application for Special Permit**

**Albion Social Club for event on September 10, 2005**

**Motion to grant passed 5-0, (JO – KM)**

**5. Application for Class F License /Hearthside**

**Donald Asquith for event on June 25, 2005**

**Motion to grant for the hours of 2:00 -6:00 p.m. passed 5-0, (KM – JO)**

## **6. Application for Special Events License**

**Pizza Inn at School Street Café/Albion Fire Department for event on August 28, 2005**

**Motion to grant under the conditions of the Lincoln Police Department and waive the application fee passed 5-0, (RM – JO). The following conditions were requested from the Lincoln Police Department: avoid illegal parking, obey noise level limits, volunteers monitor parking and alcohol consumption**

## **7. Application for Beverage License**

**Albion Social Club**

**Motion to advertise for a public hearing on July 12 at 6:45 p.m. passed 5-0, (KM – RM)**

## **8. Application for Solicitor's Permit**

**Josh McDonald**

**Motion to grant passed 5-0, (JO – KM)**

## **TOWN COUNCIL**

**A. Call to Order 7:20 p.m.**

**B. Presentation by Town Administrator Sue Sheppard**

**The Town Administrator presented Police Sergeant Rick Kelley with a proclamation for his extraordinary service while on detail. He responded to a call and administered CPR, saving a life.**

**Motion to dispense with the regular order of business and hear the presentation on the performance audit passed 5-0, (KM – JO).**

#### **C. Presentation: performance Audit**

**Larry and Michael from RSM McGladery presented their finding during a performance audit.**

**Motion to accept the presentation passed 5-0, (KM – JO)**

#### **D. Consent Agenda**

**Motion to accept the consent agenda as amended passed 5-0, (JO – RM). The consent agenda consists of:**

##### **Minutes**

- 1. May 16 – Work Session**
- 2. May 16 – Ordinance Committee**
- 3. May 16 – Regular Meeting**

#### **4. May 31 – Special Meeting**

##### **Consideration of Monthly Bills**

- 1. Accounts Payable – Library: \$41,496.92**
- 2. Accounts Payable – School: \$538,222.29**
- 3. Direct Pay - \$1,255,824.19**

##### **Claims for Referral to Committee**

- a. Lillian Hayman**
- b. Attorney Christopher E. Fay for Jeffrey Russo**
- c. William H. Grimley**

##### **Pole Placement**

**Verizon: anchor guy and Joint pole on Holiday Drive (2)**

**Narragansett Electric: N.E.C.O. pole on New River Road**

##### **Communications**

###### **1. State Mandated Financial Reports**

- a. Town**
- b. School**
- c. Water Department**

###### **2. Tax Certification**

- 3. Town of East Greenwich**
- 4. State Planning Council**
- 5. Town of Exeter**
- 6. Councilman Ronald A. Loparto**
- 7. Town of Smithfield Town of Smithfield**
- 8. Town of North Kingstown**
- 9. City of Providence**

## **10. Robert Oster**

### **Reports**

#### **1. Town Administrator**

##### **Tax Abatements**

**\$3,872.92**

## **E. Minutes**

**Motion to defer the following minutes passed, (KM – RM)**

**April 18– Work session**

**April 19 – Regular Meeting**

**April 18 – Claims Committee**

**April 18 – Ordinance Committee**

**May 2 – Special Meeting**

**May 2 – Public Hearing**

## **E. Appointments**

#### **1. Sewer Appeals Board – District 1**

**Motion to defer passed 5-0, (JO – RM)**

**Sewer Appeals Board District 3**

**Motion to appoint Vincenzo Nassi passed 5-0, (KM – JO)**

**Sewer Appeals Board District 4**

**Motion to appoint Richard Parenteau passed 5-0, (RL – RM)**

#### **2. Conservation Commission – District 4**

**Motion to defer passed 5-0, (RL – JO)**

### **3. Conservation Commission – District 2**

**Motion to defer passed 5-0, (KM – RM)**

### **4. Zoning Board – District 3**

**Motion to appoint Arthur Russo as a full member passed 5-0, (KM – RM)**

### **5. Library Board – District 1**

**Motion to defer passed 5-0, (JO – RM)**

## **F. Consideration of Monthly bills**

**Accounts Payable – Town: \$**

**Councilor Loparto pulled this item off the consent agenda. Motion to not pay Attorney Marusak's bill of \$976.30 failed 0-5, (RL – JO)**

**Motion to pay the accounts payable bills in the amount of \$306,031.95 passed 5-0, (RM – KM)**

## **F. Unfinished Business**

### **1 Claims Committee Report**

**Councilor O'Grady gave the Claims Committee Report**

#### **a. Chet Mattera**

**Clifford S. Mazer**

**Motion to deny the claims of Chet Mattera and Clifford Mazer passed 5-0, (JO**

**- RM**

#### **b. Hinkley Allen Snyder for Waterloo Way. LLP**

**Motion to defer this claim passed 5-0, (JO – RM)**

#### **c. William J. Conley, Jr for Diane Murphy**

**Motion to refer this claim to the Interlocal Trust passed 5-0, (JO – RM)**

**d. R. Paul Ryan**

**Motion to deny this claim passed 5-0, (JO – KM)**

## **2. Ordinance Committee Report**

**Councilor Macksoud gave the Ordinance Committee Report**

**a. Ordinance 05-15: Ordinance to Encourage the Sustainability of Locally-Owned**

**Small Business**

**Motion to defer passed 5-0, (KM- JO)**

**b. Ordinance 05-16: Ordinance Regarding Waterskiing and Personal Watercraft Operation**

**In the Town of Lincoln**

**Motion to defer passed 5-0, (KM – RM)**

## **3. Resolutions**

**a. Resolution 05-11: Resolution in Support of House Bill LC 02842 Sub A**

**Motion to dispense with the regular order of business and hear public comment passed 5-0, (JO – RL)**

## **G. Public Comment**

**Ed Slattery: Feels this Bill is in violation of Ordinance 96-02 and is not in support of increasing the number of VLTs at Lincoln Park.**

**John Cullen: Feels there should be a public hearing on this**

**Resolution, 05-11. He also spoke about the town parking lots and stated they should be better maintained. Mr. Cullen also addressed his loss of Homestead Exemption on his business/residence and would like the Council to look into this.**

**Barbara Cullen: Feels that if owner occupied property of up to seven units receive a homestead exemption than her bed and breakfast should also receive the exemption.**

**Jim Spooner: Spoke against homestead exemptions for residents that run a business from their home.**

**Jim Jackson: Against Resolution 05-11**

**Ron Loparto: Wanted to state he does not work at the night club in Warwick and that he does not have a problem with women.**

**Motion for passage of Resolution 05-11 failed 2-3 on roll call vote, (KM – RM). Councilors Robinson and Macksoud were in support of the Resolution and Councilors Loparto, O’Grady and McKenna were opposed.**

#### **4. School Facilities update**

**Administrator Sheppard reported she will be meeting with the team on Thursday.**

#### **5. Kells vs. Town of Lincoln**

**Encouraged residents to read the judges opinion on-line.**

#### **6. Enforcement of Lincoln Town Charter and Lincoln Code of**



**Ordinances: C-6-6(1,2,6,11), Code 1-22, Code Chapter 59**

**Motion to table passed 5-0, (RL – RM/KM)**

## **H. New Business**

### **1. Resolutions**

**a. Resolution 05-12: Authorizing the Settlement of the K-Mart Bankruptcy Claim**

**Motion for immediate consideration passed 5-0, (KM – RM)**

**Motion to authorize settlement in the amount of \$53,087.03 passed 5-0 on roll call vote, (KM – RM). The minutes will be attached to the settlement agreement.**

**b. Resolution 05-13: Authorizing the Charging of the Library Heating System to the Public**

**Buildings Fund**

**Motion for immediate consideration passed 5-0, (KM – RM)**

**Motion to authorize the charging of the library heating system to the public building fund passed 4-1 with councilor Loparto opposed, (RM – KM).**

### **3. Ratify Agreement with ASCAP**

**Motion to ratify the agreement passed 5-0, (RM – JO)**

#### **4. Status Update – Planned Environment Management Corp.**

**Assistant Solicitor Ross updated the Council on this litigation at the request of Councilor Loparto. There are three separate cases. 1. Tax Appeal – discovery has been filed. 2. Challenge to method of re-evaluation. 3. Challenge of 2004 motor vehicle tax rate.**

#### **I. Communications**

**1. Representative Brian Patrick Kennedy and Senator John J. Tassoni, Jr.**

**Councilor Macksoud read this letter praising the Town's Affordable Housing Plan**

**2. Katie Newell**

**Councilor O'Grady read this letter praising Officer Phillip Gould**

**3. James Spooner**

**Addressed the Council. Mr. Spooner wants to be exempt from paying school taxes. He also addressed the issue of speeders and traffic on Lonsdale/Main Street**

#### **J. Bids**

**1. Property Line and Existing Conditions Survey**

**Motion to award this bid to Beals and Thomas, Inc in the amount of \$21,000.00 at the recommendation of the Finance Director passed 5-0, (KM – RM).**

**Adjourn Motion to adjourn at 10:50 p.m. passed 5-0, (JO – RM)**

**Karen D. Allen**

**Town Clerk**